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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,268	10/10/2003	Felix A. Montero-Julian	BECK1120-1(2147-183CIP)	1728

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BECKMAN COULTER, INC.  
C/O DLA PIPER US LLP  
4365 EXECUTIVE DR  
SUITE 1100  
SAN DIEGO, CA 92121-2133

EXAMINER
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FOSTER, CHRISTINE E

ART UNIT	PAPER NUMBER
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1641

MAIL DATE	DELIVERY MODE
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10/16/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

10/684,268

Applicant(s)

MONTERO-JULIAN ET AL.

Examiner

Christine Foster

Art Unit

1641

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 08 August 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☒ C. Other See Continuation Sheet.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

LONG V. LE

SUPERVISORY PATENT EXAMINER

Legal Instruments Examiner (LIE), if applicable

Telephone No.

## Continuation of 1(c) Other:

Applicant's amendment directs replacement of paragraphs [0079] and [0086] of the specification (see Reply, pages 12-14). However, the text of these paragraphs indicated does not correspond with that in the specification as filed. It appears that Applicant may have incorrectly indicated the paragraphs to be replaced by referring to the numbering scheme in the published application rather than in the specification as filed. Clarification and/or correction are required.

## Continuation of 4(e) Other: Markings not shown (Use Notice of Non-Compliant PTOL-324)

The amendments to claims 1 and 5 are non-compliant because the markings do not correctly indicate the changes that have been made relative to the immediate prior versions of the claims. Specifically, in claim 1 a comma has apparently been inserted in line 2 after the term "modified MHC monomer", yet there are no markings to indicate this change. In addition, the words "and" and "or" have apparently been inserted in line 4 of claim 1 but there are no markings to indicate this. The amendments to claim 5 are non-compliant because the markings indicate that a comma is being deleted in line 2 (after the word "pH"), which is improper because the claim did not previously include the comma. See CFR 1.121 and MPEP 714.